

COUNTY OF YORK

MEMORANDUM

DATE: March 19, 2004 (BOS Mtg. 5/4/04)

TO: York County Board of Supervisors

FROM: James O. McReynolds, County Administrator

SUBJECT: Readoption of ordinance for temporary waiving of building permit fees for repair of hurricane damage

At its regular meeting of October 21, 2003, the Board adopted Ordinance No. 03-39 as an emergency ordinance, waiving certain building permit fees for the repair and reconstruction of buildings damaged or destroyed by Hurricane Isabel, and relaxing certain other zoning code restrictions to provide flexibility to citizens who were faced with the prospect of temporarily vacating their houses while they were being repaired. Because the ordinance was adopted as an emergency measure without the standard advertising required in normal circumstances for an ordinance adoption, it could be effective only for 60 days unless readopted after standard public advertisement. Moreover, the ordinance was made effective as of the date of the hurricane, September 18, 2003, and by its own terms, therefore, was effective only until November 18, 2003. Upon the suggestion by various members of the Board that the ordinance should be extended, the ordinance has been placed on your agenda to be renewed for an additional period of time, until September 18, 2005. That will give property owners a full two years from the date of the hurricane to assess damages and apply for necessary permits without having to pay the usual permit fees. That time frame could be further extended by the Board should it choose to do so, by the adoption of an ordinance amendment. Indeed, there are property owners in the County who are only now obtaining building permits to repair damages from the hurricane. This ordinance, as did the initial emergency ordinance, states that it shall be deemed to have become effective as of September 18, 2003, thereby ratifying any fee or zoning code waivers which were granted by staff even after November 18, 2003.

Should the Board desire to extend the effective date of the ordinance, then I recommend that it be readopted as shown on the attached ordinance.

Barnett/3440:sw
Attachment

- Ordinance No. 04-7